

Dear Dave, re FOIA biblio

WH 4/26/79

I got on this right away, to be able to have it to give to 'in when we meet Wednesday. The more I got into it the more I ~~realized~~ realized the technical difficulties, compounded by the need for extreme condensation. So I'll mail to JL in the a.m., hoping he'll have time to go over it before we meet so we can then talk.

There was a major interruption and there is work I must complete by the morning so instead of trying to type it all I've made hand corrections and suggestions.

Where I have raised questions without answers or place ? marks I do not have accurate information, as on the other suits.

One question I do raise is can we know these are all? Can others have been filed without our knowing it?

Bud's case requires more text. I think Lane's vs. Secret Service was compromised out of court.

I think Levy got about 6,000 pages. I sent you a news story on it.

I also think your bias shows and shouldn't. I've changed some.

She was not Dwyer at the time of the JPL affair. She was then Campbell.

Something should be added on the 5/19/64 ex sess transcript. The basis on which the Government won on it, ~~unanimous~~ decision making, roughly, was not argue in court. The judge merely decided on that basis.

I think you need explanatory text of a note on the exemptions of the Act. All require a law enforcement purpose. I'd cite the original AC's memo and the Clark/Johnson statements on the people's right to know what government does and has done as essential to representative society.

At some point I'd note that all the records I obtain will be in your archive in the form in which received plus added subject files and with all ~~the~~ my records on the litigation, including all affidavits, drafts of affidavits including those not used, etc. And I'd make "ing reference even though this is a JFK bibliography they are already more than 50,000 pages. JFK estimate in excess of 200,000 pages.

On 0322 I'd add that records agreed to be provided include index to written communications for first two years and index to their contents.

There are areas in which I cannot check the factual accuracy.

You may want to consider another explanatory note referring to records withheld until the last administrative stage prior to the filing of suit and to other disclosures to avoid litigation by means of which some withholding is made possible.

My want to add in spectro that all information provided in second case is of the "raw material" of the Williams affidavit in the first case. What they claimed it would wreck the FBI and its informant system to disclose.

The ways in which you can avoid partisanship can be illustrated by the ~~language~~ language with which you say (accurately) that there was a conspiracy to withhold records by shifting them around. You could say that the agencies arranged to divert themselves of the records not to have them or that they arranged a transfer from agency to agency to be able to claim not to possess them. I

= On "hostile" and bias, etc., we can provide, if we have not, a quote in which Smith ~~said~~ said in court that he generally takes his lead from the Government. You might note that with Pratt in charge of case assignment he arranged for all my JFK cases after the one before him to be before Smith.

On spectro you might want to note that as of press time the FBI had not produced any stated results of this testing in the form of contemporaneous reports and claimed it had none, only the conclusory representations. Not even "raw material" on windshield and cubstone. Cubstone spectro plate allegedly ~~destroyed~~ destroyed. Guinn testified before HSCA that windshield sample no longer exists.

You need better titles than "spectro suits."

WJ